

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

STRAGENT, LLC, ET AL.,

§

Plaintiffs,

§

v.

§

INTEL CORPORATION,

§

Defendant.

§

§

Civil Action No. 6:11-cv-421-TBD-JDL

§

**INTEL'S UNOPPOSED MOTION TO ALTER BRIEFING SCHEDULE FOR
ITS MOTION TO RECOVER ATTORNEYS' FEES**

Intel hereby moves for an order altering the briefing schedule for its motion for attorneys' fees. On April 10, 2014, Intel moved to recover its attorneys' fees. [Dkt. 345] On April 15, 2014, the Court ordered that the briefing schedule for that motion would be stayed until the Supreme Court issued its decision in *Octane Fitness, LLC v. Icon Health & Fitness, Inc.* No. 12-1184, and that Stragent's response would be due fourteen days after that decision issued. [Dkt. 348] The Supreme Court issued its decision in *Octane* on April 29, 2014.

Because the decision in *Octane* articulates a new test for awarding attorneys' fees under 35 U.S.C. § 285, Intel believes it will be most efficient for the Court and both parties if it submits an amended motion that reflects the new legal standard. The proposed amended motion is attached as Exhibit A. Filing that motion will extend the briefing schedule by only a little more than a week and will not affect any other deadlines in the case. Specifically, Intel respectfully requests that the Court enter an order setting forth the following schedule:

Intel files its amended motion	May 8, 2014
Stragent files its response	May 22, 2014
Intel files its reply	May 29, 2014
Stragent files its sur-reply	June 5, 2014

Stragent does not oppose this motion or the proposed schedule.

Dated: May 6, 2014

Respectfully submitted,

/s/Chad S. Campbell, with permission by
Michael E. Jones

Chad S. Campbell
cscampbell@perkinscoie.com
Aaron H. Matz
amatz@perkinscoie.com
Tyler R. Bowen
tbowen@perkinscoie.com
PERKINS COIE LLP
2901 North Central Avenue, Suite 2000
Phoenix, Arizona 85012-2788
Tel.: (602) 351-8000
Fax: (602) 648-7000

David J. Burman
dburman@perkinscoie.com
Michael D. Broaddus
mbroaddus@perkinscoie.com
PERKINS COIE LLP
1201 Third Avenue, 48th Floor
Seattle, Washington 98101
Tel.: (206) 359-8000
Fax: (206) 359-9000

Michael E. Jones
mikejones@potterminton.com
John Bufe
johnbufe@potterminton.com
Allen Gardner
allengardner@potterminton.com
POTTER MINTON
110 N. College Avenue, Suite 500
Tyler, Texas 75702
Tel.: (903) 597-8311
Fax: (903) 593-0846

Robert Christopher Bunt
rcbunt@pbatyler.com
PARKER, BUNT & AINSWORTH, P.C.
100 East Ferguson, Suite 1114
Tyler, Texas 75702
Tel.: (903) 531-3535
Fax: (903) 533-9687

Attorneys for Defendant Intel Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on May 6, 2014.

/s/ Michael E. Jones _____